

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON D.C.

ORDER NO. 2571

IN THE MATTER OF:

Served June 26, 1984

Application of ODYSSEY VANS, INC., )  
for a Certificate of Public )  
Convenience and Necessity -- )  
Charter Operations )

Case No. AP-84-31

By application filed June 22, 1984, Odyssey Vans, Inc., seeks a certificate of public convenience and necessity to conduct charter operations, transporting passengers and their baggage between points in the Metropolitan District, restricted to transportation performed in vans seating 15 passengers. 1/

The applicant is a Virginia corporation organized on or about March 15, 1984. It currently holds no authority from this Commission.

A balance sheet filed with the application shows that on June 8, 1984, applicant had total assests of \$13,457.04 and liabilities of \$15,288.87. The applicant's equipment list shows one 1984 Dodge 15-passenger van. Inasmuch as this vehicle is not listed as an asset on the applicant's balance sheet, it is unclear whether the applicant already owns it or proposes to purchase it if this application is granted. Also, there is no indication whether applicant has yet qualified to do business as a foreign corporation in Maryland and the District of Columbia.

Applicant's proposed tariff indicates a charter rate of \$30 per hour with a 3-hour minimum and a maximum daily charge of \$150. The applicant would require charter fares to be guaranteed in advance, would assess a fee of \$60 for charters cancelled on less than 24 hours' notice, and would grant a 25 percent discount to groups composed of individuals 60 years of age and over.

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1/ To the extent this application proposes the transportation of passengers between points soley within Virginia, it is hereby dismissed pursuant to the Compact, Title II, Article XII, Section 1(b).

Submitted with the application is a month-by-month projection of applicant's anticipated revenues and expenses during the first 12 months of operation. 2/ This projection indicates that the applicant expects to achieve a positive cash flow by the fifth month of operations. Total start up costs are projected to be \$7,500, to be financed by a bank loan in the amount of \$15,000 which apparently has already been secured by the applicant.

To arrive at a determination as to whether a certificate of public convenience and necessity should issue, the Compact requires an applicant to prove: (1) that the public convenience and necessity require the proposed service, and (2) that applicant is operationally fit to offer the service and will abide by all pertinent regulatory requirements. For this purpose, a public hearing will be scheduled. Applicant will be assessed an amount preliminarily estimated to cover hearing costs.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-84-31 is hereby scheduled to commence on Thursday, August 2, 1984, at 9:30 a.m. in the Hearing Room of the Commission, 1625 I Street, N.W., Room 314, Washington, D.C. 20006.

2. That Odyssey Vans, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District a notice of the application docketed as Case No. AP-84-31 and the hearing thereon, in the form prescribed by the Commission, no later than Wednesday, July 11, 1984, and shall present at the hearing an affidavit of publication from the selected newspaper.

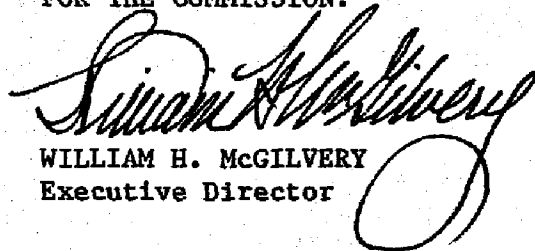
3. That any person desiring to protest the application docketed in Case No. AP-84-31 shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Friday, July 20, 1984, and shall simultaneously serve a copy of such protest or notice on counsel for applicant, W. Thomas Parrott, III, Esquire; Molloy & Johnson, P.C., 307 Maple Avenue, West, Suite E, Vienna, Va. 22180.

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2/ The applicant's projection of revenues and expenses covers operations "beginning July 1, 1984." We presume the applicant is aware that it may not legally commence charter operations within the Metropolitan District without first obtaining appropriate authority. The mere filing of an application for authority is not enough. See the Compact, Title II, Article XII, Section 4(a) and Section 4(d)(3).

4. That applicant is hereby assessed \$500 pursuant to Title II, Article XII, Section 19 of the Compact, and is directed to deliver said amount to the office of the Commission, 1625 I Street, N.W., Suite 316, Washington, D.C. 20006, no later than 12 noon on Monday, July 23, 1984.

FOR THE COMMISSION:

A handwritten signature in cursive script, appearing to read "William H. McGilvery", written in dark ink. The signature is fluid and stylized, with a large loop at the end of the last name.

WILLIAM H. MCGILVERY  
Executive Director

